

Approved

TOWN OF WESTFORD

BOARD OF SELECTMEN

MINUTES

DATE: May 13, 2002

TIME: 6:40 P.M.

PLACE: Abbot School

PRESENT: Robert Jefferies, Dini Healy-Coffin, Allan Loiselle

ABSENT: Robert McCusker, Chris Romeo

OTHERS

PRESENT: Steve Ledoux-Town Manager; Jeff Chelgren-Assistant Town Manager, Audience Members

Selectmen to Reconsider Position on Article 42 on Annual Town Meeting Warrant – Telecommunications Tower Lease

Chelgren explained the purpose of Article 42. The Board voted on April 9th to not support Article 42. Chelgren stated that when the Variance application was denied by the Zoning Board of Appeals for the Connell property, the basis of that denial was that there was a more optimum area at Snake Meadow Hill. Chelgren referenced the RFP study. Chelgren stated that it was the request of Staff and Town Counsel that the Board reconsider its vote. It was moved by Healy-Coffin, seconded by Loiselle, and VOTED 3 IN FAVOR with 2 ABSENT (McCusker, Romeo), to reconsider the vote.

Chelgren stated that he was in favor of the general location outlined in Article 42. The Telecommunication Bylaw recommends reducing the number of cell towers at build out. Chelgren stated that if a cell tower is placed on the Connell property, an additional tower will be needed for the gap in service. Chelgren stated that if a cell tower is placed on Snake Meadow Hill, only one cell tower will be needed. Attorney Douglas Deschenes, representing Ken Winchester of 1 Emily Way, disagreed with some of Chelgren's statements. Deschenes believed that the Variance for the Connell property was denied because cell towers are not allowed

in residential zones and no hardship was shown. Deschenes disagreed that the Variance was denied because there was somewhere else to place the tower. Deschenes stated that one of the goals and objectives of the Tele-communications Bylaw was to minimize towers by utilizing existing structures. Deschenes asked why existing structures are not being considered thereby minimizing impacts on residential properties. Deschenes stated that Winchester's property is approximately 500 to 600 feet from the site of the new highway garage and that the residents in Picking Estates will also be impacted. Deschenes asked the Board why they would want to set a precedent by leasing property in a residential zone that is prohibited by the Telecommunications Bylaw. Deschenes also asked if the Board felt that they could override the bylaw for monetary gains.

Jim Cobb, 4 Lindsay Lane, stated that he moved into Town in March and picked the location because there were no (power) lines in sight. Cobb stated that they looked at a property at was \$100,000 less because there were cell towers behind it. Cobb felt that cell towers reduce the market values of properties. Cobb asked if the Town would reduce his taxes if the cell tower is build behind his property.

John Kneeland, 65 Keyes Road, asked the Board to look at all the facts and make the best decision for the residents.

A resident from Keyes Road asked the Board to vote in favor of Article 42 because it might impact the court case.

A resident from Keyes Road stated that the Connell cell tower would be approximately 150 feet from his property line and that he would not mind if the Connells put the cell tower deeper into their property.

Heidi Sprall, Allie Lane, expressed concerns regarding the health risks for children. Sprall stated that there are many children living in the area of the highway garage site. Sprall felt that a microcell would cover the gap in the area. Sprall stated that she was opposed to the cell tower and asked if alternative technology had been explored. Sprall reported that the FCC and the FDA are conducting ongoing health studies.

Loiselle stated that the health risks associated with cell towers have not been confirmed and that property values in Westford never go down. Loiselle stated that cell towers are not allowed in residential areas and if an applicant is interested they need to go through the Zoning Board of Appeals process.

It was moved by Loiselle, seconded by Healy-Coffin, and VOTED 3 IN FAVOR with 2 ABSENT (McCusker, Romeo), to reaffirm the Board's unanimous vote in opposition to Article 42.

John Mandeville, 16 Keyes Road, stated that there is no stopping cell towers from coming into Town. Mandeville asked that these cases be looked at objectively and follow the bylaw.

Ken Winchester, 1 Emily Way, disagreed that cell towers in Westford will not lower property values.

Motion to Convene to Annual Town Meeting

It was moved by Healy-Coffin, seconded by Loiselle, and VOTED 3 IN FAVOR with 2 ABSENT (McCusker, Romeo), to convene to Annual Town Meeting at 7:00 p.m.

Adjournment

It was moved by Healy-Coffin, seconded by Loiselle, and VOTED UNANIMOUSLY, to adjourn the meeting at the close of Town Meeting.

Steve Ledoux, Town Manager

Robert Jefferies, Chairman